

Paul G. Lannon (*Pro Hac Vice*)
Andrew E. Silvia (*Pro Hac Vice*)
Ashley V. Hart (*Pro Hac Vice*)
HOLLAND & KNIGHT LLP
10 St. James Ave.
Boston, MA 02116
Telephone: (617) 523-2700
Facsimile: (617) 523-6850
paul.lannon@hklaw.com
andrew.silvia@hklaw.com
ashley.hart@hklaw.com

Elizabeth A. Kaleva
Kevin A. Twidwell
Elizabeth A. O'Halloran
KALEVA LAW OFFICE
1911 S. Higgins Ave.
P.O. Box 9312
Missoula, MT 59807-9312
Telephone: (406) 542-1300
Facsimile: (406) 721-1003
eakaleva@kalevalaw.com
ktwidwell@kalevalaw.com
bohalloran@kalevalaw.com

Attorneys for Defendant University of Montana-Missoula

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

SHANNON SCHWEYEN,

Plaintiff,

v.

UNIVERSITY OF MONTANA-
MISSOULA,

Defendant.

CV 21-138-M-DLC

**DEFENDANT UNIVERSITY OF
MONTANA-MISSOULA'S
NOTICE OF SUPPLEMENTAL
AUTHORITY IN SUPPORT OF ITS
MOTION FOR SUMMARY
JUDGMENT**

Pursuant to Local Rule 7.4, defendant University of Montana-Missoula (“UM” or the “University”) respectfully submits this Notice of Supplemental Authority in support of its motion for summary judgment (Doc. 55). The University respectfully directs the Court to the following pertinent and significant authority, which was not available when the University filed its motion for summary judgment on March 20, 2023, and is attached here as Exhibit 1:

Powell v. Doane Univ., No. 8:20-CV-0427, 2023 WL 6445830, at *1-9, 12-19 (D. Neb. Oct. 3, 2023) (granting summary judgment for university on Title VII sex discrimination claim by former women’s basketball head coach terminated after complaints by student-athletes and parents regarding disrespectful treatment, poor communication, lack of organization, and unhealthy environment and after one player quit and others threatened to quit the team, and notwithstanding the coach’s allegations that she was never asked about the complaints and that the university did not sufficiently investigate them).

This authority supports the University’s arguments on pages 7-11, 15-24, and 26-28 of its brief in support of its motion for summary judgment (Doc. 52).

DATED this 13th day of October, 2023.

/s/ Andrew E. Silvia

Paul G. Lannon (*Pro Hac Vice*)
Andrew E. Silvia (*Pro Hac Vice*)
Ashley V. Hart (*Pro Hac Vice*)
HOLLAND & KNIGHT LLP
10 St James Ave
Boston, MA 02116
617.523.2700 (Office)
617.523.6850 (Fax)
paul.lannon@hklaw.com
andrew.silvia@hklaw.com
ashley.hart@hklaw.com

/s/ Kevin A. Twidwell

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P.O. Box 9312
Missoula, MT 59807-9312
406.542.1300 (Office)
406.721.1003 (Fax)
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bohalloran@kalevalaw.com

CERTIFICATE OF SERVICE

I, the undersigned counsel, Attorneys for Defendant, hereby certify that on this 13th day of October, 2023, I served a copy of the foregoing by CM/ECF, which will send notice to all counsel of record.

HOLLAND & KNIGHT LLP
Attorneys for Defendant

/s/ Andrew E. Silvia

Andrew E. Silvia